

ARKANSAS SUPREME COURT

No. CR 07-1229

EFRAIN VIVEROS
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered October 30, 2008

PRO SE MOTION TO FILE BELATED
APPELLANT'S BRIEF [CIRCUIT
COURT OF CRAWFORD COUNTY,
CR 2003-379, HON. GARY R.
COTTRELL, JUDGE]

MOTION GRANTED.

PER CURIAM

A jury found appellant Efrain Viveros guilty of possession of methamphetamine with intent to deliver, possession of drug paraphernalia, and two counts of failure to appear and sentenced him to an aggregate term of 1320 months' imprisonment. The Arkansas Court of Appeals affirmed the judgment. *Viveros v. State*, CACR 06-173 (Ark. App. Mar. 14, 2007). Appellant timely filed in the trial court a pro se petition for postconviction relief under Arkansas Rule of Criminal Procedure 37.1, which was denied. He has lodged an appeal of that order in this court, and has now filed a pro se motion in which he requests permission to file his brief belatedly.

Appellant's brief was due on June 2, 2008. On June 11, 2008, appellant tendered a noncompliant brief that was returned to him for correction. Appellant tendered a corrected brief along with the pending motion on June 18, 2008. Because appellant tendered a brief within a few days of the due date, albeit a non-compliant brief, we grant the motion to file a belated brief. Our clerk is directed to file appellant's brief as of the date of this opinion.

Motion granted.